

May 14, 1975

their deliberations to the public in the first place. You cannot just give them their head without any reins, no bit in the mouth, no control whatsoever and if you insert the word privilege, you may as well strike this entire section or you can put the section in and say that a citizen may be allowed to speak if the body chooses to allow him or her to speak. That's all that privilege means. Privilege means that you do something at the sufferance of another person. If that person decides you won't do it, you shall not do it. I think the language is all right as it is because it does not say at all public meetings.

PRESIDENT: Senator Nichol.

SENATOR NICHOL: Mr. Chairman, members of the Legislature, I assume that we are now a public body. Are we not? That is the Legislature. If that is true, line 1 says, the public shall have the right to attend and the right to speak at meetings of public bodies. Then, anyone can come to this body and speak. Is that correct? I don't think they are allowed to speak here, are they? I just make this point.

PRESIDENT: Senator Koch, would you care to speak to that point?

SENATOR KOCH: To Senator Nichol? To his question or division of this.....

PRESIDENT: To his question. Would you rather Senator Anderson?

SENATOR KOCH: I'd say Senator Anderson.

PRESIDENT: All right, Senator Anderson.

SENATOR ANDERSON: First of all, Mr. President, members of the Legislature, I know this question has come up and there is a specific recognition of the Legislature's right to open or close its meeting in the Constitution. I think the Constitution says something to the effect that the meetings in the Legislature shall be open except such meetings shall be secret, or something like that. Anyway, in the opening section 1 of the act, it recognizes the Constitution and the Constitution prevails in this case. This particular act does not apply to the Legislature because the Constitution overrides and so I think that should answer Senator Nichol's question.

PRESIDENT: All right. Any further discussion? If not, Senator Koch may close on the first portion. He has no closing. The motion is to adopt the first portion of the amendment. All in favor vote aye. Those opposed vote nay. It will take a simple majority since this is an amendment to the committee amendments. Have you all voted? Clerk shall record.

CLERK: 24 ayes, 7 nays, Mr. President.

PRESIDENT: The amendment is adopted. Clear the board please.